UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
DONABED, NINOS J

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *01 May 2008*.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *27-52* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *27-52* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Response to Amendment

This action is in response to Applicants amendment dated 05/01/2008. Claims

27-52 have been amended. Claims 27-52 are pending in the application.

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

2.   Claim27-52 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Regarding claims 27, 40, 50, 51, and 52, the phrase "service logic" is vague and

unclear and it is unknown what it encompasses. For the furthering of prosecution

it will be taken to mean associated with the packet data.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claim 27-35, 38-46 and 49-52 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Kim et al. (United States Patent Number 6,510,145) in view of

Wojtowicz (United States Patent Application Number 20020091659.) in view of

Wojtowicz (Canadian Patent Number 2330707.)

Regarding **Claim 27**,

Kim teaches a method of providing multimedia service contents to at least one

terminal via a wireless network, the method comprising: **(See abstract, Kim discloses**

a mobile communication system)

generating at least one delivery packet containing the multimedia service

contents; **(See Column 5 Lines 18-63 and Claims 1, 10, and 12, Kim discloses**

generating of packets)

transmitting the at least one delivery packet at the least one terminal; **(See**

abstract and Column 6 Lines 10-30, Kim discloses transmitting of packets to a

terminal)

receiving the at least one delivery packet at the at least one terminal; and **(See**

Column 6 Line 66 - Column 7 Line 26, Column 2 Lines 23-47, and Claim 3, Kim

discloses receiving of voice packets at a terminal)

Kim does not explicitly teach further containing a corresponding service logic

defining how the multimedia service contents are presented at the at least one terminal

or presenting the received multimedia service contents at the at least one terminal in a

manner defined by the received service logic.

Wojtowicz teaches containing a corresponding service logic defining how the

multimedia service contents are presented at the at least one terminal or presenting the

received multimedia service contents at the at least one terminal in a manner defined by the received service logic. **(See page 8 line 10 - page 9 line 5, Wojtowicz teaches defining how the multimedia service contents will be presented at a given terminal.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have known to combing Wojtowicz with Kim because both deal with transferring of multimedia data packets from a base station to a terminal. The advantage of Wojtowicz is that the Maui Server has a layout manager which sets the resolution of the graphics based on the specific client device the transfer is being made to. **(See pages 1-2 and 8-9, Wojtowicz.)**

Regarding **Claim 28,**

Kim and Wojtowicz teach the method of claim 27, further comprising:

generating the corresponding service logic using software stored in at least one software cartridge installed in a delivery application logic common to a plurality of multimedia services, each software cartridge containing software specific to a given multimedia service. **(See page 4 lines 5-32, Wojtowicz.)**

Regarding **Claim 29**,

Kim and Wojtowicz teach the method of claim 28, further comprising:

installing a new software cartridge in the delivery application loqic, the installed

software cartridge associated with a new multimedia service; and **(See page 5 lines 5-25, Wojtowicz.)**

generating a service logic corresponding to the new multimedia service using

software stored in the installed software cartridge. **(See page 4 lines 5-32, Wojtowicz.)**

Regarding **Claim 30**,

Kim and Wojtowicz teach the method of claim 27, further comprising:

providing at least one of a presentation module and an interaction module at the at least

one terminal, the presentation module configured to present the received multimedia

service contents at the at least one terminal and the interaction module configured to

facilitate user interaction between the received multimedia service contents and a user

at the at least one terminal. **(See page 9 line 6 – page 10 line10, Wojtowicz.)**

Regarding **Claim 31**,

Kim and Wojtowicz teach the method of claim 27, further comprising:

presenting the received multimedia service contents at the at least one terminal

using at least one sequence of screens linked one to another according to the received

service logic. **(See page 12 lines 4-26, Wojtowicz.)**

Regarding **Claim 32**,

Kim and Wojtowicz teach the method of claim 27, further comprising:

providing a plurality of multimedia content building blocks associated with a

plurality of multimedia services, wherein the service logic defines how different

multimedia content building blocks are presented at the at least one terminal in order to

implement one or more multimedia services at the at least one terminal. **(See page 12**

lines 4-26, Wojtowicz.)

Regarding **Claim 33**,

Kim and Wojtowicz teach the method of claim 27, further comprising: the-steps of

generating the at least one delivery packet using a service standard template. **(See**

Column 3 Lines 36-63, Kim discloses a CDMA standard mobile communications

network)

Regarding **Claim 34**,

Kim and Wojtowicz teach the method of claim 33, wherein the service standard

template is defined in a markup language. **(See Column 1 Lines 24 – 35, Kim**

discloses the Internet which has a markup language)

Regarding **Claim 35**,

Kim and Wojtowicz teach the method of claim 27, further comprising: using a

mobile communications network as the wireless network. **(See abstract, Kim**

discloses a mobile communications network)

Regarding **Claim 38**,

Kim and Wojtowicz teach the method of claim 27, further comprising: transmitting

the at least one delivery packet via a transport protocol selected from the group

consisting of MMS, HTTP and HTTPS. **(See Page 11, Wojtowicz.)**

Regarding **Claim 39**,

Kim and Wojtowicz teach the method of claim 27, further comprising:

providing the at least one terminal with at least one of a presentation module and

an interaction module, the presentation module configured to present the received

multimedia service contents at the at least one terminal and the interaction module

configured to facilitate user interaction between the received multimedia service

contents and a user at the at least one terminal; and **(See figures 1 and 2 and pages**

10 line 25 – page 11 line 20, Wojtowicz.)

providing the at least one terminal with an interpreter module configured to

convert the received multimedia service contents into a form suitable for input into at

least one of the presentation module and interaction module. **(See figures 1 and 2 and**

pages 10 line 19 – page 11 line 15, Wojtowicz.)

Regarding **Claim 40**,

Kim teaches a client-server system, comprising: **(See abstract, Kim teaches a**

client-server system)

a server configured to generate at least one delivery packet containing

multimedia service contents. **(See Column 5 Lines 18-63 and Claims 1, 10, and 12,**

Kim discloses generating of packets)

at least one client terminal configured to receive the at least one delivery packet

and present the received multimedia service contents in a manner defined by the

received service logic; **(See Column 6 Line 66 - Column 7 Line 26, Column 2 Lines**

23-47, and Claim 3, Kim discloses receiving of voice packets at a terminal)

a wireless network for transmitting the at least one delivery packet from the

server to the at least one client terminal. **(See abstract and Column 6 Lines 10-30,**

Kim discloses transmitting of packets to a terminal)

Kim does not explicitly teach further containing a corresponding service logic

defining how the multimedia service contents are presented at the at least one terminal

or presenting the received multimedia service contents at the at least one terminal in a

manner defined by the received service logic.

Wojtowicz teaches containing a corresponding service logic defining how the

multimedia service contents are presented at the at least one terminal or presenting the

received multimedia service contents at the at least one terminal in a manner defined by

the received service logic. **(See page 8 line 10 - page 9 line 5, Wojtowicz teaches**

defining how the multimedia service contents will be presented at a given

terminal.)

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to have known to combing Wojtowicz with Kim because both deal

with transferring of multimedia data packets from a base station to a terminal. The advantage of Wojtowicz is that the Maui Server has a layout manager which sets the resolution of the graphics based on the specific client device the transfer is being made to. **(See pages 1-2 and 8-9, Wojtowicz.)**

Regarding **Claim 41**,

Kim and Wojtowicz teach the system of claim 40, wherein the server is configured to generate the corresponding service logic using software stored in at least one software cartridge installed in a delivery application logic common to a plurality of multimedia services, each software cartridge containing specific to a given multimedia service. **(See page 4 lines 5-32, Wojtowicz.)**

Regarding **Claim 42**,

Kim and Wojtowicz teach the system of claim 41, wherein the server is configured to install a new software cartridge in the delivery application logic, the installed software cartridge associated with a new multimedia service, **(See page 5 lines 5-25, Wojtowicz.)**

the server further configured to generate a service logic corresponding to the new multimedia service using software stored in the installed software cartridge. **(See page 4 lines 5-32, Wojtowicz.)**

Regarding **Claim 43**,

Kim and Wojtowicz teach the system of claim 40, wherein the server is

configured to provide a plurality of multimedia content building blocks associated with a

plurality of multimedia services, wherein the service logic defines how different

multimedia content building blocks are presented at the at least one client terminal in

order to implement one or more multimedia services at the at least one client terminal.

(See page 12 lines 4-26, Wojtowicz.)

Regarding **Claim 44**,

Kim and Wojtowicz teach the system of claim 40, wherein the server is

configured to generate the at least one delivery packet using a service standard

template. . **(See Column 3 Lines 36-63, Kim discloses a CDMA standard mobile**

communications network)

Regarding **Claim 45**,

Kim and Wojtowicz teach the system of claim 44, wherein the service template is

defined in a markup language. **(See Column 1 Lines 24 – 35, Kim discloses the**

Internet which has a markup language)

Regarding **Claim 46**,

Kim and Wojtowicz teach the system of claim 40, wherein the wireless network is

a mobile communications network. **(See abstract, Kim discloses a mobile**

communications network)

Regarding **Claim 49**,

Kim and Wojtowicz teach the system of claim 40, wherein the at least one

delivery packet is transmitted to the at least one terminal via a transport protocol

selected from the group consisting of MMS, HTTP and HTTPS. **(See Page 11,**

Wojtowicz.)

Regarding **Claim 50**,

Kim teaches a terminal, comprising:

a receiver adapted to receive at least one delivery packet from a wireless

network **(See Column 6 Line 66 - Column 7 Line 26, Column 2 Lines 23-47, and**

Claim 3, Kim discloses receiving of voice packets at a terminal)

Kim does not explicitly teach

the at least one delivery packet containing multimedia service contents and

further containing a corresponding service logic defining how the multimedia service

contents are presented at the terminal;

a presentation module configured to present the received multimedia service

contents in a manner defined by the received service logic;

an interaction module configured to facilitate user interaction between the

received multimedia service contents and a user at the terminal; and

an interpreter module configured to convert the received multimedia service

contents into a form suitable for input into at least one of the presentation module and

interaction module.

Wojtowicz teaches the at least one delivery packet containing multimedia service contents and further containing a corresponding service logic defining how the multimedia service contents are presented at the terminal; **(See page 8 line 10 - page 9 line 5, Wojtowicz teaches defining how the multimedia service contents will be presented at a given terminal.)**

a presentation module configured to present the received multimedia service contents in a manner defined by the received service logic; **(See page 9 line 6 – page 10 line10, Wojtowicz.)**

an interaction module configured to facilitate user interaction between the received multimedia service contents and a user at the terminal; and **(See page 9 line 6 – page 10 line10, Wojtowicz.)**

an interpreter module configured to convert the received multimedia service contents into a form suitable for input into at least one of the presentation module and interaction module. **(See page 11 line 23 to page 10 line 17, Wojtowicz.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have known to combing Wojtowicz with Kim because both deal with transferring of multimedia data packets from a base station to a terminal. The advantage of Wojtowicz is that the Maui Server has a layout manager which sets the resolution of the graphics based on the specific client device the transfer is being made to. **(See pages 1-2 and 8-9, Wojtowicz.)**

Regarding **Claim 51**,

Kim teaches a server, comprising: **(See abstract, Kim discloses a mobile communication system)**

a delivery application logic configured to generate at least one delivery packet containing multimedia service contents **(See Column 5 Lines 18-63 and Claims 1, 10, and 12, Kim discloses generating of packets)**

the delivery application logic comprising a plurality of software cartridges, each software cartridge containing software associated with service logic for a different multimedia service; and

a transmitter adapted to transmit the at least one delivery packet over a wireless network to at least one client terminal. **(See abstract and Column 6 Lines 10-30, Kim discloses transmitting of packets to a terminal)**

Kim does not explicitly teach further containing a corresponding service logic defining how the multimedia service contents are presented at one or more client terminals,

Wojtowicz teaches further containing a corresponding service logic defining how the multimedia service contents are presented at one or more client terminals. **(See page 8 line 10 - page 9 line 5, Wojtowicz teaches defining how the multimedia service contents will be presented at a given terminal.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have known to combing Wojtowicz with Kim because both deal with transferring of multimedia data packets from a base station to a terminal. The advantage of Wojtowicz is that the Maui Server has a layout manager which sets the

resolution of the graphics based on the specific client device the transfer is being made

to. **(See pages 1-2 and 8-9, Wojtowicz.)**

Regarding **Claim 52**,

Kim teaches a computer-readable medium comprising computer- executable

instructions that are directly loadable in a memory of a computer and comprising

software code portions for implementing multimedia services in a terminal of a wireless

network, the software code portions comprising: **(See Column 5 Lines 18-63 and**

Claims 1, 10, and 12, Kim)

Kim does not explicitly teach a presentation module configured to present

multimedia service contents in a manner defined by a corresponding service logic;

an interaction module configured to facilitate user interaction between the

multimedia service contents and a user at the terminal; and

an interpreter module configured to convert at least one delivery packet into a

form suitable for input into at least one of the presentation module and the interaction

module, the at least one delivery packet containing the multimedia service contents and

further containing the corresponding service logic defining how the multimedia service

contents are presented at the terminal.

Wojtowicz teaches the at least one delivery packet containing multimedia service

contents and further containing a corresponding service logic defining how the

multimedia service contents are presented at the terminal; **(See page 8 line 10 - page 9**

**line 5, Wojtowicz teaches defining how the multimedia service contents will be
presented at a given terminal.)**

a presentation module configured to present the received multimedia service
contents in a manner defined by the received service logic; **(See page 9 line 6 – page
10 line10, Wojtowicz.)**

an interaction module configured to facilitate user interaction between the
received multimedia service contents and a user at the terminal; and **(See page 9 line 6
– page 10 line10, Wojtowicz.)**

an interpreter module configured to convert the received multimedia service
contents into a form suitable for input into at least one of the presentation module and
interaction module. **(See page 11 line 23 to page 10 line 17, Wojtowicz.)**

It would have been obvious to one of ordinary skill in the art at the time the
invention was made to have known to combing Wojtowicz with Kim because both deal
with transferring of multimedia data packets from a base station to a terminal. The
advantage of Wojtowicz is that the Maui Server has a layout manager which sets the
resolution of the graphics based on the specific client device the transfer is being made
to. **(See pages 1-2 and 8-9, Wojtowicz.)**

5.   Claim 36, 37, 47, and 48 are rejected under 35 U.S.C. 103(a) as being
unpatentable over Kim et al. (United States Patent Number 6,510,145) in view of
Wojtowicz (United States Patent Application Number 20020091659.) in view of
Wojtowicz (Canadian Patent Number 2330707) further in view of official notice.

Regarding **Claim 36**,

Kim and Wojtowicz teach the method of claim 35.

Kim further teaches a CDMA mobile communications system. **(See Column 3**

Lines 36-63)

Kim does not explicitly teach the step of selecting said mobile communications

network as one of a GPRS and a UMTS network.

Examiner takes official notice on the step of selecting said mobile

communications network as one of a GPRS and a UMTS network because it would

have been obvious to one of ordinary skill in the art at the time the invention was made

to use a CDMA mobile network in place of a GPRS or a UMTS network because a

CDMA network can accommodate many users on the same frequency and at the same

time.

Regarding **Claim 37**,

Kim and Wojtowicz teach the method of claim 36.

Kim further teaches a CDMA mobile communications system. **(See Column 3**

Lines 36-63)

Kim does not explicitly teach the step of transmitting said delivery packets via the

data channel of said one of a GPRS and a UMTS network.

However, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to use a CDMA mobile network in place of a GPRS or a UMTS

network because a CDMA network can accommodate many users on the same

frequency and at the same time.

Regarding **Claim 47,**

Kim and Wojtowicz teach the system of claim 46.

Kim further teaches a CDMA mobile communications system. **(See Column 3**

Lines 36-63)

Kim does not explicitly teach the step of transmitting said delivery packets via the

data channel of said one of a GPRS and a UMTS network.

However, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to use a CDMA mobile network in place of a GPRS or a UMTS

network because a CDMA network can accommodate many users on the same

frequency and at the same time.

Regarding **Claim 48,**

Kim and Wojtowicz teach the system of claim 47.

Kim further teaches a CDMA mobile communications system. **(See Column 3**

Lines 36-63)

Kim does not explicitly teach the step of selecting said mobile communications

network as one of a GPRS and a UMTS network.

Examiner takes official notice on the step of selecting said mobile

communications network as one of a GPRS and a UMTS network because it would

have been obvious to one of ordinary skill in the art at the time the invention was made

to use a CDMA mobile network in place of a GPRS or a UMTS network because a

CDMA network can accommodate many users on the same frequency and at the same

time

Response to Arguments

6.   Applicant's arguments with respect to claims 27-52 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any response to this Office Action should be **faxed** to (571) 272-8300 or **mailed** to:

> Commissioner for Patents
> P.O. Box 1450
> Alexandria, Virginia 22313-1450
>
> ***Hand-delivered responses should be brought to***
> Customer Service Window
> Randolph Building
> 401 Dulany Street
> Alexandria, Virginia 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NINOS DONABED whose telephone number is (571)270-3526. The examiner can normally be reached on Monday-Friday, 7:30 AM-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ninos Donabed/
Examiner, Art Unit 2144

/William C. Vaughn, Jr./

Supervisory Patent Examiner, Art Unit 2144